



PELLETIER, CLARKE & CALEY, LLC
Attorneys at Law

Gary G. Pelletier, Esq.*
Rebecca Clarke Turmel, Esq.
Maria E. Caley, Esq.

35 Touro Street, Newport, Rhode Island 02840
(P) 401.849.4400 • (F) 401.619.3451

www.peclaw.net

June 5, 2015

Hon. Alvin K. Hellerstein
United States district Court
Southern District of New York
Daniel Patrick Moynihan US Courthouse
500 Pearl Street, Room 14D
New York, NY 10007

RE: United States of America v. Zachary Zwerko
Criminal No. 1:44cr00715-002 (AKH)

Dear Judge Hellerstein:

On behalf of Attorney Jeffrey A. Denner and with the **ASSENT** of the government, I write to request an adjournment of the sentencing hearing scheduled for Monday, June 8, 2015. Attorney Denner is lead counsel in a First Degree Murder trial in Suffolk Superior Court in Boston. This afternoon, the jury began its deliberations in the murder case. Attorney Denner asked the trial judge to adjourn the trial for Monday to allow him to attend the sentencing hearing before Your Honor. The trial judge denied Attorney Denner's request and ordered him to report to Suffolk Superior Court in Boston on Monday. In view of Attorney Denner's obligations in the murder trial in Boston, he respectfully seeks an adjournment of the sentencing hearing in this matter.

Attorney Denner has assumed primary responsibility for Mr. Zwerko's defense including the drafting of the sentencing memorandum that he previously submitted to the Court. (I have served only as local counsel in this matter but I also have a trial scheduled in Fall River Superior Court in Massachusetts on June 8). Mr. Zwerko needs Attorney Denner to assist him properly with this sentencing hearing.

Hon. Alvin K. Hellerstein
June 5, 2015
Page 2

No party will suffer any prejudice if the Court adjourns the sentencing hearing. I have spoken with Assistant United States Attorney Jessica Masella and she **ASSENTS** to this adjournment request. In discussing possible adjournment dates, the parties and their attorneys are available on Friday, July 24, 2015 if that date is acceptable to the Court. If July 24 is not acceptable to the Court, I will contact Attorney Masella and the Court to find an acceptable court date.

If you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

/s/ *Gary G. Pelletier*

Gary G. Pelletier (GP-5459)

cc: AUSA Jessica Masella (via ECF)
AUSA Edward Kim (via ECF)
Jeffrey A. Denner, Esq.